

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL SCOTT SHIRLEY,

Defendant.

4:17CR3033

ORDER

In light of Chief Judge Gerrard's opinion in *United States v. Jenkins*, 4:15CR3079, Filing no. 88, I find that Mr. Shirley has exhausted his administrative remedies. Therefore,

IT IS ORDERED that the United States Probation Office for the District of Nebraska shall as soon as reasonably possible obtain Mr. Shirley's medical records from the Bureau of Prisons, file those medical records as sealed documents in this case, and provide copies to counsel for the government and counsel for the defendant. The Probation Officer shall also file as a restricted document his recommendations or evaluation after reviewing Mr. Shirley's medical records including but not limited to the inmate's proposed release address and other necessary information. The court will then consider Mr. Shirley's motion for compassionate release and will give the parties the opportunity to submit briefing. The Clerk's office shall provide a copy of this order to Supervising United States Probation Officer Aaron Kurtenbach.

Dated this 8th day of June, 2020.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge